UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/52/232
5 September 1997
ENGLISH
ORIGINAL: SPANISH

Fifty-second session

REQUEST FOR INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FIFTY-SECOND SESSION

OBSERVER STATUS FOR THE ANDEAN COMMUNITY IN THE GENERAL ASSEMBLY

Letter dated 28 August 1997 from the representatives of Bolivia, Colombia, Ecuador, Peru and Venezuela to the United Nations addressed to the Secretary-General

We have the honour to request, pursuant to rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the fifty-second session of an additional item of an important and urgent character entitled "Observer status for the Andean Community in the General Assembly".

Pursuant to rule 20 of the rules of procedure of the General Assembly, this request is accompanied by an explanatory memorandum (annex I) and the corresponding draft resolution (annex II).

(Signed) Marco Antonio VIDAURRE
Chargé d'affaires a.i.
Permanent Mission of Bolivia
to the United Nations

(Signed) Julio Londoño PAREDES
Permanent Representative of
Colombia to the United Nations

(Signed) Fernando GUILLÉN
Permanent Representative
of Peru to the United Nations

(Signed) Oscar GARCÍA
Chargé d'affaires a.i.
Mission of Venezuela to
the United Nations

(Signed) Luis Valencia RODRÍGUEZ
Permanent Representative of Ecuador
to the United Nations

Annex I

EXPLANATORY MEMORANDUM

The Andean Community

On 26 May 1969, the Plenipotentiaries of Bolivia, Chile, Colombia, Ecuador and Peru, meeting in Cartagena, Colombia, signed the Andean Subregional Integration Agreement, in response to the quest for a solution to the existing imbalance among the contracting parties of the Latin American Free Trade Association. Venezuela became a member on 13 February 1973, and Chile withdrew from the Cartagena Agreement in 1976.

In October 1992, the Andean Free Trade Area was formed, and in January 1995 the Andean Customs Union was established with the entry into force of the Common External Tariff.

To make it possible to achieve their objectives and fully comply with their guidelines and mandates, the Presidents, at the seventh meeting of the Andean Presidential Council, held in Quito on 5 September 1995, decided to restructure the executive and administrative bodies of the Andean process, which resulted in the establishment of the Andean Integration System.

Accordingly, the Andean Community is today a free trade area without any kind of tariff or para-tariff restriction, into which members are incorporated gradually and automatically; it also has a common external tariff, in which four of its five members participate. It has begun to deregulate services by adopting air transport policies, such as decisions concerning open skies, carriage of persons and goods by roadway and maritime and multimodal transport, and will soon adopt an agreement on the deregulation of services.

In addition, the Community is engaged in negotiations with the Southern Common Market for the purpose of combining the two integration processes into a free trade area within 10 years. It has also opened negotiations with Panama and with the Caribbean Community for the same purpose, and it plans to hold talks with Central American countries to that end as well.

For 20 years, the Andean Community has had a relationship of cooperation with the European Union, legally enshrined in a "third-generation agreement" which, beyond the limits of technical assistance and economic cooperation, promotes the flow of investments and technology transfer.

Four of the Andean Community countries have preferential trade agreements with the United States of America, and five Andean countries have such agreements with the European Community for the purpose of facilitating access to their markets on the basis of the need to provide cooperation and incentives to the Andean countries in their campaign against drug trafficking.

Objectives

- To promote the balanced and harmonious development of the member countries on the basis of equity, through economic and social integration and cooperation; to speed up growth and job creation; to encourage participation in regional integration, with a view to the gradual formation of a Latin American common market.

- In addition, to help reduce external vulnerability and improve the member countries' position in international trade; to strengthen subregional solidarity; and to reduce existing developmental differences among the member countries.

The attainment of these objectives should bring about a steady improvement in the standard of living of the inhabitants of the subregion.

Moreover, balanced and harmonious development should lead to an equitable distribution of the benefits of integration to the member countries, thereby reducing existing differences among them. The results of this process should be periodically evaluated, taking into account, among other factors, the impact on each country in respect of the expansion of its global exports, the behaviour of its trade balance with the subregion, the evolution of its gross territorial product, the creation of new jobs and the formation of capital.

Mechanisms

To attain the above-mentioned objectives, the following mechanisms and means will be used, among others:

(a) The gradual harmonization of economic and social policies and of national legislation on relevant matters;

(b) The execution of industrial programmes and other modalities of industrial integration;

(c) A programme aimed at total trade decontrol;

(d) A common external tariff;

(e) Programmes to accelerate the development of the agricultural and agro-industrial sectors;

(f) The channelling of domestic and external resources to the subregion to provide financing for the investments needed in the integration process;

(g) Physical integration;

(h) Preferential treatment for Bolivia and Ecuador.

As a complement to the above mechanisms, Community programmes and actions exist in the following areas:

(a) External relations;

(b) Scientific and technological development;

(c) Border integration and tourism;

(d) Development and conservation of natural resources and the environment;

(e) Deregulation of services;

(f) Social development;

(g) Social communication.

Institution-building

The Andean Community is composed of the sovereign States of Bolivia, Colombia, Ecuador, Peru and Venezuela, and of the organs and institutions of the Andean Integration System, established by the Cartagena Agreement.

The Andean Integration System is composed of the following organs and institutions:

(a) Principal organs

(i) The Andean Presidential Council;

(ii) The Andean Council of Ministers for Foreign Affairs;

(iii) The Commission of the Andean Community;

(iv) The General Secretariat of the Andean Community;

(v) The Court of Justice of the Andean Community;

(vi) The Andean Parliament;

(b) Advisory bodies

(i) The Business Advisory Council;

(ii) The Labour Advisory Council;

(c) Financial institutions

(i) The Andean Development Corporation;

(ii) The Latin American Reserve Fund;

(d) Cultural institutions

(i) The Simón Rodríguez Agreement, the social agreements connected with the Andean Integration System and others established under the same framework;

(ii) The Andean Simón Bolívar University.

Annex II

DRAFT RESOLUTION

Observer status for the Andean Community in the General Assembly

The General Assembly,

Considering the importance of the Andean Community in the promotion of the balanced and harmonious development of the member countries on the basis of equity, through economic and social integration and cooperation, with a view to the gradual formation of a Latin American common market,

Considering also the need, frequently noted by the United Nations, to promote and support the economic development of the member countries,

Recalling General Assembly resolution 50/227 of 24 May 1996 on the restructuring and revitalization of the United Nations in the economic, social and related fields,

Wishing to promote cooperation between the United Nations and the Andean Community,

1. Decides to invite the Andean Community to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. Requests the Secretary-General to take the necessary action to implement this resolution.

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General Assembly

Distr.
GENERAL

A/52/233
3 October 1997

ORIGINAL: ENGLISH

Fifty-second session

REQUEST FOR INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FIFTY-SECOND SESSION

ADMISSION OF THE INTERNATIONAL SEABED AUTHORITY TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND

Letter dated 18 September 1997 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the General Assembly

In accordance with rule 15 of the rules of procedure of the General Assembly, I have the honour to request the inclusion on the agenda of the fifty-second session of the General Assembly of an additional item of an urgent and important character, entitled "Admission of the International Seabed Authority to membership in the United Nations Joint Staff Pension Fund".

In accordance with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum is attached to the present letter (annex).

(Signed) M. Patricia DURRANT
Ambassador
Permanent Representative

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ANNEX

Explanatory memorandum

The International Seabed Authority ("the Authority") is an autonomous international organization established under the 1982 United Nations Convention on the Law of the Sea ("the Convention"). The seat of the Authority is in Jamaica. Pending the adoption of its own financial regulations and staff regulations, the Authority is applying, mutatis mutandis, the financial regulations and staff regulations of the United Nations.

At its second session, in August 1996, the Assembly of the Authority decided that it would be in the interest of the Authority to become a member of the United Nations Joint Staff Pension Fund (UNJSPF), and requested the Secretary-General of the Authority to take the necessary steps in order to apply for membership in the Fund.[a]

According to the Regulations of UNJSPF, membership in the Fund is open to the specialized agencies referred to in Article 57, paragraph 2 of the Charter of the United Nations and to any other international intergovernmental organization that participates in the common system of salaries, allowances and other conditions of service of the United Nations.[b]

In accordance with the request of the Assembly, the Secretary-General of the Authority wrote to the Secretary of UNJSPF on 27 August 1996 formally applying, on behalf of the Authority, for membership in UNJSPF. In the same letter, the Secretary-General also informed the Secretary of UNJSPF that the staff regulations for the Authority would be fully compatible with the United Nations common system of salaries and allowances and that the Authority was ready to accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the Regulations of the Fund.

In this regard, it should be noted that article 11, paragraph 3, of the relationship agreement between the United Nations and the International Seabed Authority provides that, pursuant to the decision of the Assembly of the Authority, and upon the approval of the General Assembly of the United Nations, the Authority shall participate in the Fund in accordance with the Regulations of the Fund and shall accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations. The relationship agreement, which was signed on 14 March 1997 by the Secretary-General of the United Nations and the Secretary-General of the Authority, was approved by the Assembly of the Authority at its 45th meeting, on 27 March 1997,[c] and is to be considered by the General Assembly at its fifty-second session.

The application by the Authority was considered by the Standing Committee of the UNJSPF Board at its 180th meeting, in July 1997. The Standing Committee agreed to recommend the admission of the International Seabed Authority to membership in the Fund with effect from 1 January 1998 on the understanding that

the Authority adhered to the United Nations common system of salaries and allowances as required by the UNJSPF Regulations.[d]

In the light of the affirmative recommendation by the Standing Committee of the UNJSPF Board regarding the application by the International Seabed Authority, it is proposed that the General Assembly of the United Nations admit the International Seabed Authority to membership in UNJSPF, subject to acceptance by the Authority of the Regulations of the Fund and the conclusion of an agreement between the Authority and the Board of UNJSPF as to the conditions which shall govern its admission.

Notes

[a] ISBA/A/15.

[b] UNJSPF Regulations, article 3 (b).

[c] ISBA/3/A/3.

[d] JSPB/180/R.28, 2 July 1997, item 12.